

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE GENERAL HOSPITAL
CORPORATION and
DANA-FARBER CANCER
INSTITUTE, INC.,

Plaintiffs,

v.

ESOTERIX GENETIC
LABORATORIES, LLC and
LABORATORY CORPORATION
OF AMERICA HOLDINGS,

Defendants.

C.A. No. 1:18-cv-11360-IT

JOINT MOTION FOR ENTRY OF STIPULATED AMENDED PROTECTIVE ORDER

The plaintiffs The General Hospital Corporation and Dana-Farber Cancer Institute, Inc. and the defendants Esoterix Genetic Laboratories, LLC and Laboratory Corporation of America Holdings (collectively, the “Parties”) hereby jointly move that the Court enter the Stipulated Amended Protective Order attached hereto as Exhibit 1.

The Parties previously submitted and the Court previously approved a Protective Order governing the exchange of confidential or proprietary information of the Parties in this action. (ECF Nos. 45, 45-1, 51.) The Parties have since determined that their own responsive discovery materials contain confidential or proprietary information of third parties that are subject to separate confidentiality obligations. Defendants’ counsel has conferred with the third party in question, who has requested that the Protective Order be amended to include an “Attorneys’ Eyes Only” designations for certain discrete pieces of information or categories of documents.

Thus, the Parties are seeking to amend the Protective Order to further protect this specific information.

The attached proposed Protective Order does not attempt to alter the Parties' obligations under the Local Rules to seek impoundment or leave to file under seal any confidential information. The Parties have agreed that pending approval by the Court, the Stipulated Amended Protective Order shall govern the conduct of the Parties and any Confidential Information or Confidential AEO Information, as defined therein, produced by any party in advance of entry by the Court shall be subject to its terms.

WHEREFORE, as good cause exists, the Parties jointly request the following:

- (1) that the Court adopt and sign the accompanying Stipulated Amended Protective Order; and
- (2) that the accompanying Stipulated Amended Protective Order be entered on the docket.

Respectfully submitted,

Plaintiffs,
THE GENERAL HOSPITAL
CORPORATION and
DANA-FARBER CANCER
INSTITUTE, INC.
By their attorneys,

Defendants,
ESOTERIX GENETIC LABORATORIES,
LLC and LABORATORY CORPORATION
OF AMERICA HOLDINGS,

By their attorneys,

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Dated: April 29, 2020

CERTIFICATE OF SERVICE

I, Christopher R. Howe, certify that on April 29, 2020, this Joint Motion filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to the non-registered participants.

/s/ Christopher R. Howe

Christopher R. Howe